

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

**F044999 People v. Soliz**

Cause called and argued by Russell S. Babcock, Esq., counsel for appellant and by Charles A. French, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Dibiaso, Acting P.J. directs Harris, Acting P.J. to act as Presiding Justice in his absence and leaves the bench with Vartabedian, J.; they are replaced by Harris, Acting P.J. and Dawson, J.

**F044044 People v. Murphy**

Cause called and argued by Phillip M. Brooks, Esq., counsel for appellant and by Jesse Witt, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

The court adjourns.

**F044896 Protect Our Water et al. v. County of Merced et al.**

Filed order granting request for publication of the opinion.

Filed modification of opinion (no change in judgment).

**F046042 People v. Held**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F046042      People v. Held**

The portion of the sentence based on the prior prison term enhancements, i.e., two years is vacated. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047760      Donald H. v. The Superior Court of Stanislaus County; Stanislaus County  
Community Services Agency**

Let an extraordinary writ issue directing respondent court to vacate its order of March 30, 2005, terminating reunification services and setting the section 366.26 hearing and reverse its finding that petitioner failed to participate regularly and make substantive progress in his court-ordered treatment plan. Respondent court is further directed to conduct a hearing and enter a new order reinstating reunification services for an additional six months.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045373      People v. Odom**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F045373      People v. Odom**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044814      People v. Singh**

The judgment is reversed insofar as it orders appellant to pay victim restitution of \$125,000—which was reduced by credits to \$120,780.34—and the issue of victim restitution is remanded to the trial court with directions to conduct further proceedings to determine the proper amount. In all other respects, the judgment is affirmed.  
Dawson, J.

We concur: Dibiaso, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045896      People v. Moreno**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.